IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2326 of 1996

For Approval and Signature:

HON'BLE MR. JUSTICE ANANT S DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

JJ BHATT

Versus

ACCOUNTANT GENERAL(A& E)

Appearance:

1. Special Civil Application No. 2326 of 1996

MR BS SUPEHIA for Petitioner No. 1

MS PROMILA SAFAYA for Respondent No. 1

MR BIPIN I MEHTA for Respondent No. 1

MR DG CHAUHAN for Respondent No. 2-3

CORAM : HON'BLE MR. JUSTICE ANANT S DAVE

Date of decision: 21/12/2004

ORAL JUDGEMENT

1. The grievance agitated by the petitioner is that though the petitioner retired on 31st August 1994, till the date of filing of the petition, i.e. for more than eight months from the date of his retirement, the amount due towards provident fund was not paid.

2. As per the claim of the petitioner, he was entitled to receive about Rs.18,000/- towards outstanding dues from the respondents. Pursuant to the notice issued by this Court, the respondent No.1 has filed affidavit in reply and produced a statement showing the amount of provident fund to be paid to the petitioner and, according to the respondent No.1, the closing balance of the petitioner was Rs.13,237/-.

3. Today, when the matter is called out for final hearing, the learned advocate appearing for the respondents has produced a copy of the order dated 13th June 1996, by which, the amount due to the petitioner of Rs.13,207/- was already released and paid to him. The copy of the order dated 13th June 1996 is ordered to be taken on record.

4. In this view of the matter, no further order is required to be passed in this matter. Rule is discharged with no order as to costs.

(Anant S. Dave, J.)
(swamy)